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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF WASHINGTON

7 ELLIOTT D. GOODIN,

8 Plaintiff,

9 v.

10 CLEO POWELL-SHARP and
11 MICHELLE DOE,

12 Defendants.

NO. 2:19-CV-0225-TOR

ORDER OF DISMISSAL WITHOUT
PREJUDICE

13 BEFORE THE COURT is Plaintiff's Oral Motion to Dismiss Action without
14 Prejudice. ECF No. 14. The Court has reviewed the record and files herein, and is
15 fully informed. During a court hearing on another matter, Plaintiff orally informed
16 the Court that he no longer wishes to pursue this case and considers it dismissed.
17 Defendants in this matter have not been served and have not filed an answer or
18 motion for summary judgment. ECF No. 12. The Court construes Plaintiff's oral
19 motion as a notice of dismissal without prejudice, pursuant to Fed. R. Civ. P.
20 41(a)(1)(A)(i) & (a)(1)(B).

1 **ACCORDINGLY, IT IS HEREBY ORDERED:**

- 2 1. Plaintiff's Oral Motion to Dismiss Action with Prejudice (ECF No. 14) is
3 GRANTED. This action in its entirety is **DISMISSED** without prejudice
4 and each party shall bear its own costs and attorneys' fees.
5 2. All pending motions are denied as moot and related hearing dates are
6 stricken from the Court's calendar.

7 The District Court Executive is directed to enter this Order and Judgment
8 accordingly, furnish copies to Plaintiff and counsel, and **CLOSE** the file.

9 **DATED** February 6, 2020.



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Thomas O. Rice
THOMAS O. RICE
Chief United States District Judge